

NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO  
CODE OF FAIR COMPETITION  
FOR THE  
BEDDING MANUFACTURING  
INDUSTRY

AS APPROVED ON JULY 27, 1934



UNITED STATES  
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Approved Code No. 219—Amendment No. 3

AMENDMENT TO CODE OF FAIR COMPETITION  
FOR THE  
BEDDING MANUFACTURING INDUSTRY

As Approved on July 27, 1934

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE  
BEDDING MANUFACTURING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Bedding Manufacturing Industry, and notice of opportunity to file objections thereto having been issued, and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference said annexed report and do find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,  
*Administrator for Industrial Recovery.*

Approval recommended:

BARTON W. MURRAY,  
*Division Administrator.*

WASHINGTON, D.C.,  
*July 27, 1934.*

## REPORT TO THE PRESIDENT

The **PRESIDENT**,  
*The White House.*

SIR: This is a report on the amendment of the Code of Fair Competition for the Bedding Manufacturing Industry as approved by me January 23, 1934. Application was made under date of May 4, 1934, by the Code Authority for the Bedding Manufacturing Industry, for amendment of the provisions of Article VIII of the Code. Fair notice of opportunity to file objections to this proposed amendment was given to all interested parties.

This amendment is drawn up and has been proposed in accordance with Office Memorandum No. 228, dated June 7, 1934. It is intended to permit the prohibition, in times of emergency, of the sale of products below minimum prices to be determined.

This amendment does not in any way affect the labor provisions of the Code.

The Assistant Deputy Administrator in his final report to me on said amendment to said Code having found as herein set forth and on the basis of the proceedings in this matter:

I find that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provision of said Title of said Act, including without limitation sub-section (a) of Section 3, sub-section (a) of Section 7, and sub-section (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

I believe the amendment to be fair to labor, to the consumer, and to the industry, and for these reasons, therefore, I have approved this amendment.

Respectfully,

HUGH S. JOHNSON,  
*Administrator.*

JULY 27, 1934.

## AMENDMENT TO CODE OF FAIR COMPETITION FOR THE BEDDING MANUFACTURING INDUSTRY

Article VIII of the Code of Fair Competition for the Bedding Manufacturing Industry, shall be and hereby is amended by the addition thereto of the following paragraphs:

“ (a) If the Administrator, after investigation shall at any time find both (1) that an emergency has arisen within the industry adversely affecting small enterprises or wages or labor conditions, or tending toward monopoly or other acute conditions which tend to defeat the purposes of the Act; and (2) that the determination of the stated minimum price for a specified product within the industry for a limited period is necessary to mitigate the conditions constituting such emergency and to effectuate the purposes of the Act, the Code Authority may cause an impartial agency to investigate costs and to recommend to the Administrator a determination of the stated minimum price of the product affected by the emergency and thereupon the Administrator may proceed to determine such stated minimum price.

“ (b) When the Administrator shall have determined such stated minimum price for a specified product for a stated period, which price shall be reasonably calculated to mitigate the conditions of such emergency and to effectuate the purposes of the National Industrial Recovery Act, he shall publish such price. Thereafter, during such stated period, no member of the industry shall sell such specified products at a net realized price below said stated minimum price and any such sale shall be deemed destructive price cutting. From time to time, the Code Authority may recommend review or reconsideration or the Administrator may cause any determinations hereunder to be reviewed or reconsidered and appropriate action taken.”

Approved Code No. 219—Amendment No. 3.  
Registry No. 1607-1-01.

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